

McElroy Deutsch

1300 Mount Kemble Avenue
P.O. Box 2075
Morristown, NJ 07962-2075
T: 973.993.8100 | F: 973.425.0161
MDMC-LAW.COM

Thomas R. Curtin
Direct Dial: (973) 401-7117
tcurtin@mdmc-law.com

July 22, 2022

VIA ECF

Honorable Madeline Cox Arleo, U.S.D.J.
Martin Luther King, Jr. Federal Building
and U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07102

Re: *Absorption Pharm., LLC v. Reckitt Benckiser, LLC, et al.*,
Civil Action No. 17-12872 (MCA) (JSA)

Dear Judge Arleo:

This letter is submitted jointly on behalf of both Plaintiff, Absorption Pharm., LLC (“Absorption”) and Defendants, Reckitt Benckiser, LLC and RB Health (US) LLC (collectively “Reckitt”). As the Court is aware, on June 8, 2022, the jury returned a verdict in favor of Reckitt on Absorption’s claims for fraud and federal- and state-law trade secret misappropriation. Dkt. 459. This Court previously granted summary judgment in favor of Reckitt on Absorption’s claims for intentional interference with contract and tortious interference with prospective economic advantage. Dkt. 283.

The parties wish to advise the Court that they have reached an agreement to finally resolve this litigation. Specifically, Absorption will not be filing any post-trial motions or appeals and has agreed to withdraw its motion for sanctions against Reckitt as to the filing of its counterclaims, Dkts. 319, 320 at 1-11. In exchange, Reckitt has agreed to waive its right to recover costs under Federal Rule of Civil Procedure 54(d)(1).

The parties accordingly request that the Court enter the enclosed Proposed Final Judgment and close the case.

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Respectfully yours,

McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP

s/ Thomas R. Curtin

THOMAS R. CURTIN

WALSH PIZZI O'REILLY FALANGA LLP

s/ Liza M. Walsh

LIZA M. WALSH

cc: All counsel (via ECF and e-mail)